APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/526,754	03/16/2000	Brett A. Hurt	COREMET-001	1157

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EXAMINER
DURAN, ARTHUR D

ART UNIT	PAPER NUMBER
3622	

DATE MAILED: 01/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)	
Office Action Summary		09/526,754	HURT ET AL.	
		Examiner	Art Unit	
		Arthur Duran	3622	

-- *The MAILING DATE of this communication app ars on th cover sh t with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *22 December 2003*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-31* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-31* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some *   c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

1.   Claims 1-31 have been examined.

Response to Amendment

2.   The Amendment filed on 12/22/03 is sufficient to overcome the Angles and Gerace reference.

Continued Examination Under 37 CFR 1.114

3.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/22/03 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Angles (5,933,811) in view of Gerace (5,848,396) and in further view of Dedrick (5,724,521).

Claims 1, 10, 17, 21, 26: Angles discloses a system, method, server, medium for

providing personalized content to an e-commerce customer comprising:

a content management server that receives a query from a customer computer via a data network,

the query including the identity of a client and the identity of the e-commerce customer (col 3,

lines 45-54; col 3, lines 54-60; col 2, lines 54-58);

the content management server identifying personalized content to be displayed to the e-

commerce customer on the customer computer, wherein the personalized content is identified

based upon the identity of the client and the identity of the e-commerce customer (col 15, lines

20-31); and

the content management server returning a response to the customer computer via the

data network that identifies the personalized content (col 15, line 65-col 16, line 7).

Angles further discloses a processor, memory, user interface, network interface (col 2,

lines 45-59; col 9, line 35- col 10, line 42).

Angles further discloses a downloadable web page stored on a client web server

comprising an image to be displayed on a customer computer (col 1, lines 33-44).

Angles further discloses retrieving an identity of the e-commerce customer if saved on

the customer computer, creating an identity of the e-commerce customer if the identity of the e-

commerce customer is not saved on the computer (col 10, line 60-col 11-line 50; col 14, lines 26-

34; col 6, lines 58-66).

Angles further discloses that information saved on a user computer has a limited amount

of time for use (col 11, lines 17-23).

Angles further discloses tracking consumer activity and responses (col 2, lines 45-50) and sending content to a user based on the user's profile (col 3, lines 5-17) and that the sum of customer's actions can be tracked (col 16, lines 39-45).

Angles does not explicitly disclose that the consumer's can be tracked over a specific time period or the utilization of a session ID to track specific user sessions.

However, Gerace discloses tracking and profiling a user in order to provide targeted content (col 2, lines 1-23). Gerace further discloses the use of a session ID to track a user over specific time periods (col 6, lines 40-45; col 6, lines 60-65; col 6, line 45-col 7, line 23).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Gerace's utilization of session ID's to Angles providing of customized content to a user. One would have been motivated to do this because identifying the session or time period that user actions are performed in provides more accurate profiling and targeting of the user.

Angles further discloses the utilization of cookies on the user's computer to uniquely identify a consumer (col 17, lines 25-38; col 11, lines 1-5).

Angles does not explicitly disclose that the identity of the client is determined as apart from the identity of the consumer.

However, Gerace discloses that the identity of each user client as well as the user is determined and that the identity of the client and the identity of the user are utilized in targeting content (col 6, lines 13-21; Fig. 3C; col 6, lines 52-57; col 13, line 62-col 14, line 3).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Gerace's identifying the consumer and the client to Angle's

identifying the user via information on the user's computer. One would have been motivated to do this in order to allow Angles to send appropriate content based upon the capabilities or limitations of the client computer.

Gerace further discloses a multitude of server and server clients (Fig. 1).

Angles further discloses a host of servers and a client-server architecture (col 5, line 61-col 6, line 15) and that a Web browser can act as a client (col 5, line 65-col 6, line 3).

Angles nor Gerace does not explicitly disclose that the specific identity of the client server servicing a customer is tracked.

However, Dedrick discloses that the client server serving a user is identified and tracked (Fig. 1; col 2, lines 54-col 3, line 28; col 14, line 52-col 15, line 5).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Dedrick's identifying the consumer and the client serving the consumer to Angle's identifying the user via information on the user's computer. One would have been motivated to do this in order to allow Angles to send appropriate content based upon the client that serves a consumer.

However, Angles further discloses a consumer computer with specialized code, that the consumer id is stored on the consumer computer, that the advertisement data can be stored on the consumer computer or with the content provider (col 10, line 19-col 12, line 11).

Angles does not explicitly disclose a session ID.

However, Gerace discloses a session ID (col 6, lines 40-45; col 6, lines 60-65; col 6, line 45-col 7, line 23) and that the screen view and viewing times of each session can be tracked (col 7, lines 13-23).

Gerace further discloses locally stored information identifying a user (col 13, lines 35-38). Gerace does not explicitly disclose that the session ID is generated or stored on the user computer.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Gerace's session ID to Angles locally generated and locally stored user tracking information. One would have been motivated to do this in order to provide Angles with a further means of targeting a user by tracking user activities.

Additionally, Dedrick further discloses personalized content deliver code to be executed by the customer computer (Fig. 2col 6, lines 32-col 8, line 40; col 8, lines 1-5).

Dedrick further discloses that a session identifying information is generated on the customer computer by the personalized content delivery code and stored on the customer computer. The session information and session identifying information is received by the content management server and used in selecting content (col 20, lines 55-59; col 6, lines 64-68).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Dedrick's locally operated session information tracking to Gerace's session ID and session tracking and to add both of these features to Angles user tracking and targeting. One would have been motivated to do this in order to provide a method more secure for the user that still tracks and targets a user.

Claim 2, 11, 22, 27: Angles, Gerace, and Dedrick disclose the system, method, server, medium of claims 1, 10, 21, 26, and Angles further discloses that:

the query also includes a secondary identifier that relates to the client; and

the content management server also uses the secondary identifier to identify the personalized content (col 15, lines 20-31; col 15, line 65-col 16, line 7).

Claims 3, 12, 19, 23, 28: Angles, Gerace, and Dedrick disclose the system, method, server, medium of claims 1, 10, 17, 21, 26, and Angles further discloses that the identity of the personalized content corresponds to an image to be displayed to the e-commerce customer on the customer computer (col 10, lines 15-20; col 15, line 65-col 16, line 7; col 13, lines 40-46).

Claims 4, 13, 20, 24, 29: Angles, Gerace, and Dedrick disclose the system, method, server, medium of claims 1, 10, 17, 21, 26, and Angles further discloses that the identity of the personalized content corresponds to an executable file to be executed by the customer computer (col 15, line 65-col 16, line 15; col 7, line 60-col 8, line 8; col 8, lines 15-20).

Claims 5, 14: Angles, Gerace, and Dedrick disclose the system and method of claims 1, 10, and Angles further discloses that the content management server identifies the personalized content via a table lookup operation in which the identity of the e-commerce customer serves as an index (col 15, line 65-col 16, line 15; col 16, lines 15-25).

Claims 6, 15, 25, 30: Angles, Gerace, and Dedrick disclose the system, method, server, medium of claims 1, 10, 21, 26, and Angles further discloses a data aggregation server that receives e-commerce customer information corresponding to the query from the content management server, the e-commerce customer information including the identity of the client, the identity of the e-commerce customer and the identity of the personalized content and storing the customer information (col 3, lines 45-54; col 3, lines 54-60; col 2, lines 54-58; col 15, lines 20-31; col 15, line 65-col 16, line 7).

Angles further discloses that the e-commerce customer information includes the identity

of the e-customer (col 3, lines 54-60), an audit of the personalized content (col 15, line 65-col 16,

line 7), and storing customer information (col 3, lines 7-17; col 3, lines 55-65).

Angles further discloses the utilization of cookies on the user's computer to uniquely

identify a consumer (col 17, lines 25-38; col 11, lines 1-5).

Angles does not explicitly disclose that the identity of the client is determined as apart

from the identity of the consumer.

However, Gerace discloses that the identity of each user client as well as the user is

determined (col 6, lines 13-21; Fig. 3C; col 6, lines 52-57; col 13, line 62-col 14, line 3).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to add Gerace's identifying the consumer and the client to Angle's

identifying the user via information on the user's computer. One would have been motivated to

do this in order to allow Angles to send appropriate content based upon the capabilities or

limitations of the client computer.

Gerace further discloses a multitude of server and server clients (Fig. 1).

Angles further discloses a host of servers and a client-server architecture (col 5, line 61-

col 6, line 15) and that a Web browser can act as a client (col 5, line 65-col 6, line 3).

Angles nor Gerace does not explicitly disclose that the specific identity of the client

server servicing a customer is tracked.

However, Dedrick discloses that the client server serving a user is identified and tracked

(Fig. 1; col 2, lines 54-col 3, line 28; col 14, line 52-col 15, line 5).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to add Dedrick's identifying the consumer and the client serving the

consumer to Angle's identifying the user via information on the user's computer. One would

have been motivated to do this in order to allow Angles to send appropriate content based upon

the client that serves a consumer.

Claim 7: Angles, Gerace, and Dedrick disclose the system of claim 6, and Angles further

discloses a personalization/segmentation database coupled to the data aggregation server, the

personalization/segmentation database storing e-commerce customer information for a plurality

of e-commerce customers (col 15, lines 20-31; col 16, lines 25-45).

Angles further discloses storing customer information for a plurality of e-commerce

customer of user groups (col 15, lines 31-43; col 16, lines 12-15; col 20, lines 53-63; col 4, lines

1-5).

Additionally, Gerace discloses storing customer information for a plurality of e-

commerce customer of user groups (col 20, lines 10-20; col 12, lines 25-30; col 13, lines 1-13;

col 19, lines 1-7; col 19, line 65-col 20, line 5).

Claim 8, 16, 31: Angles, Gerace, and Dedrick disclose the system, method, medium of

claims 7, 15, 30, and Angles further discloses:

a content management interface server coupled to the personalization/segmentation database and

to the content management server;

wherein the content management interface server supports the association of personalized

content to segments of e-commerce customers;

wherein the content management interface server creates an association of personalized content with the segments of e-commerce customers;

wherein the content management interface downloads the association of personalized content with the segments of e-commerce customers to the content management server (col 3, lines 45-54; col 3, lines 54-60; col 2, lines 54-58; col 15, lines 20-31; col 15, line 65-col 16, line 7).

Angles further discloses storing customer information for a plurality of e-commerce customer of user groups, targeting segments of e-commerce customers, and tracking segments of e-commerce customers (col 15, lines 31-43; col 16, lines 12-15; col 20, lines 53-63; col 4, lines 1-5).

Additionally, Gerace discloses storing customer information for a plurality of e-commerce customer of user groups, targeting segments of e-commerce customers, and tracking segments of e-commerce customers (col 20, lines 10-20; col 12, lines 25-30; col 13, lines 1-13; col 19, lines 1-7; col 19, line 65-col 20, line 5).

Claim 9: Angles, Gerace, and Dedrick disclose the system of claim 1, and Angles further discloses:

the content management server comprises a plurality of separate server computers, each of which services a particular set of queries (col 13, lines 35-46); and

the system further comprises a load balancing server coupled to the plurality of separate server computers and to the data network, wherein the load balancing server routes queries to the plurality of separate server computers (col 8, lines 20-33; col 13, lines 46-54; col 6, lines 4-15).

Claim 18: Angles, Gerace, and Dedrick disclose a downloadable web page as in claim 17, and Angles further discloses receiving a response from the content management server including the address of personalized content (col 15, lines 43-40; col 15, lines 22-25), retrieving the personalized content (col 15, lines 28-31), and presenting the personalized content on the customer computer (col 16, lines 14-15; col 15, lines 28-31).

Response to Arguments

5. Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

Examiner notes that while specific references were made to the prior art, it is actually also the prior art in its entirety that is being referred to.

On page 14 of the Applicant's Amendment dated 12/22/03, Applicant states, "The session ID of claim 1 of the present invention is generated on the customer computer by the personalized content delivery code and stored on the customer computer. The session ID is received by the content management server and used in selecting content. . .Gerace fails to disclose. . .such a session ID and simply fails to meet the shortcomings of Angles et al."

However, Angles further discloses a consumer computer with specialized code, that the consumer id is stored on the consumer computer, that the advertisement data can be stored on the consumer computer or with the content provider (col 10, line 19-col 12, line 11).

Angles does not explicitly disclose a session ID.

However, Gerace discloses a session ID (col 6, lines 40-45; col 6, lines 60-65; col 6, line 45-col 7, line 23) and that the screen view and viewing times of each session can be tracked (col 7, lines 13-23).

Gerace further discloses locally stored information identifying a user (col 13, lines 35-38). Gerace does not explicitly disclose that the session ID is generated or stored on the user computer.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Gerace's session ID to Angles locally generated and locally stored user tracking information. One would have been motivated to do this in order to provide Angles with a further means of targeting a user by tracking user activities.

Additionally, Dedrick further discloses personalized content deliver code to be executed by the customer computer (Fig. 2col 6, lines 32-col 8, line 40; col 8, lines 1-5).

Dedrick further discloses that a session identifying information is generated on the customer computer by the personalized content delivery code and stored on the customer computer. The session information and session identifying information is received by the content management server and used in selecting content (col 20, lines 55-59; col 6, lines 64-68).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Dedrick's locally operated session information tracking to Gerace's session ID and session tracking and to add both of these features to Angles user tracking and targeting. One would have been motivated to do this in order to provide a method more secure for the user that still tracks and targets a user.

The rejection of the Independent claims above have been modified to include these

additions.

In response to arguments beginning on page 15 of the Applicant's Amendment dated

12/22/03 concerning the dependent claims 6-8, 15, and 16. Please see the enhanced rejection of

these claims above.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Arthur Duran whose telephone number is (703)305-4687. The

examiner can normally be reached on Mon- Fri, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Eric Stamber can be reached on (703)305-8469. The fax phone number for the

organization where this application or proceeding is assigned is (703)872-9326.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703)308-1113.

AD

1/14/04

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